

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

TRICORE, INC.

CIVIL ACTION NO.  
04-12393 (JGD)

VS.

SAFECO INSURANCE COMPANY OF  
AMERICA and R.P. IANNUCCILLO &  
SONS CONSTRUCTION CO.

November 1, 2005

**SAFECO INSURANCE COMPANY OF AMERICA'S  
ASSENTED TO MOTION FOR ENLARGEMENT OF TIME TO  
FILE SUMMARY JUDGMENT**

The Defendant and Counterclaim Defendant, Safeco Insurance Company of America (the "Surety"), with good cause and consent of the Defendant and Counterclaim Plaintiff, R.P. Iannuccillo & Sons Construction, Co. ("RPI"), respectfully moves for an enlargement of six (6) days, up to and including November 7, 2005, to file its Motion for Summary Judgment. The Motion for Summary Judgment is currently due on November 1, 2005.

Good cause exists for the granting of the Surety's Motion. Specifically, the Surety has been required to confer with Plaintiff, Tricore, Inc. ("Tricore"), regarding an affidavit that Tricore intends to file in support of the Surety's Motion for Summary Judgment. Because Tricore and Surety, and their respective counsel, are in different jurisdictions, Surety is in need of the additional time to obtain the Tricore Affidavit and incorporate it into the Motion, Memorandum of Law in Support of Motion for Summary Judgment, and Local Rule 56.1 Statement of Undisputed Facts.

RPI consents to the relief sought in this Motion.

WHEREFORE, Safeco respectfully requests that the Court:

- (a) Allow Safeco an additional six (6) days, up to and including November 7, 2005 to file its Motion for Summary Judgment;
- (b) Grant such further relief as the Court may deem just and appropriate.

CROSSCLAIM DEFENDANT,  
SAFECO INSURANCE COMPANY  
OF AMERICA

BY 

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**CERTIFICATION**

This is to certify that on November 1, 2005, a copy of the foregoing was mailed, postage pre-paid or delivered electronically or by facsimile to the following:

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